

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	ED CV 22-1105 DOC (MRW)	Date	September 6, 2022
Title	Poslof v. CDCR		

Present:	Hon. Michael R. Wilner, U.S. Magistrate Judge		
	James Muñoz	n/a	
	Deputy Clerk	Court Reporter / Recorder	
	Attorneys for Plaintiff:	Attorneys for Defendant:	
	n/a	n/a	

Proceedings: ORDER TO SHOW CAUSE RE: DISMISSAL

1. In July 2022, Judge Wilner issued a detailed order screening this pro se civil rights action. (Docket # 5.) The Court's July order dismissed Plaintiff's complaint for various procedural and substantive defects. The order further required Plaintiff to file an amended complaint or dismiss this action by August 12. However, the Court received no further submission from Plaintiff by or after the due date.¹

2. The Court could rightly terminate the action today under Federal Rule of Civil Procedure 41. Nevertheless, in the interests of fairness to a self-represented prisoner, the Court instead ORDERS Plaintiff to show cause as to why the matter should not be dismissed. Plaintiff may cure this OSC by filing a statement explaining his failure to comply with the Court's previous order and submitting either a voluntary dismissal of the action or an amended complaint.

3. Plaintiff's response to this OSC will be due by October 11.

Failure to comply with the terms of this order may result in a recommendation that the action be dismissed for failure to prosecute pursuant to Federal Rule of Civil Proc. 41(b). Applied Underwriters, Inc. v. Lichtenegger, 913 F.3d 884 (9th Cir. 2019).

¹ The assigned district judge granted Plaintiff's separate application to proceed in forma pauperis. (Docket # 6, 7.) Plaintiff's IFP submission did not address any of the problems that Judge Wilner identified with the complaint.